



General Assembly

February Session, 2000

Amendment

LCO No. 5029

Offered by:

REP. FRITZ, 90th Dist.

To: Subst. House Bill No. 5427

File No. 442

Cal. No. 343

"An Act Concerning Housing On Farmland."

1 Strike out lines 1 to 27, inclusive, in their entirety and insert the
2 following in lieu thereof:

3 "Subsection (c) of section 8-30g of the general statutes is repealed
4 and the following is substituted in lieu thereof:

5 (c) Upon an appeal taken under subsection (b) of this section, the
6 burden shall be on the commission to prove, based upon the evidence
7 in the record compiled before such commission that [(1)] (A) the
8 decision from which such appeal is taken and the reasons cited for
9 such decision are supported by sufficient evidence in the record; (B)
10 the decision is necessary to protect substantial public interests in
11 health, safety, or other matters which the commission may legally
12 consider; (C) such public interests clearly outweigh the need for
13 affordable housing; and (D) such public interests cannot be protected
14 by reasonable changes to the affordable housing development. [or (2)
15 (A) the application which was the subject of the decision from which
16 such appeal was taken would locate affordable housing in an area

17 which is zoned for industrial use and which does not permit
18 residential uses and (B) the development is not assisted housing, as
19 defined in subsection (a) of this section.] If the commission does not
20 satisfy its burden of proof under this subsection, the court shall wholly
21 or partly revise, modify, remand or reverse the decision from which
22 the appeal was taken in a manner consistent with the evidence in the
23 record before it."